



Chris Saeger <csaeger@westernvaluesproject.org>

Hackett-Zinke correspondence: [EXTERNAL] FOIA Request

5 messages

FOIA, NPS <npsfoia@nps.gov>

Mon, Jun 11, 2018 at 9:33 AM

To: NPS WASO FOIA Requests <waso_foia_requests@nps.gov>

Cc: Chris Saeger <csaeger@westernvaluesproject.org>

Hi Jessica,

I am routing this request to you for processing. Let me know if it turns out another office needs to search for responsive records.

As usual I've cc'd the requester so they know who will be handling their request.

Thanks,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **Chris Saeger** <csaeger@westernvaluesproject.org>

Date: Fri, Jun 8, 2018 at 4:47 PM

Subject: [EXTERNAL] FOIA Request

To: "FOIA, NPS" <npsfoia@nps.gov>, charis_wilson@nps.gov

Dear Records Request Officer:

Pursuant to the Freedom of Information Act, I request access to and copies of all emails between NPS Congressional Liaison Elaine Hackett and Lolita "Lola" Hand Zinke, since and including January 1, 2017. This should include, but not be limited to, all emails sent by Ms. Hackett to lolazinke@gmail.com, as well as all emails from that gmail address to Ms. Hackett.

"All emails" should include, but not be limited to, all correspondence sent between, carbon copied ("CC") between, or blind carbon copied ("BCC") between Elaine Hackett and Lola Zinke during this time period.

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A)(iii), Western Values Project requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures will likely contribute to a better understanding of relevant government

procedures by the public in a significant way. Moreover, the request is primarily and fundamentally for non-commercial purposes. 5 U.S.C. § 552(a)(4)(A)(iii).^[1]

Western Values Project requests a waiver of fees because disclosure of the requested information is “in the public interest because it is likely to contribute significantly to public understanding” of government operations and is not “primarily in the commercial interest of the requester.”^[2] The disclosure of the information sought under this request will document and reveal the operations of the federal government, including how public funds are spent and how officials conduct the public’s business.

This request is primarily and fundamentally for non-commercial purposes. As a project of a 501(c)(3) organization, Western Values Project does not have a commercial purpose and the release of the information requested is not in Western Values Project’s financial interest. Western Values Project’s mission is to give a voice to Western values in the national conversation about resource development and public lands conservation, a space too often dominated by industry lobbyists and their government allies. Western Values Project will use the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. Western Values Project will also make materials it gathers available on our public website <http://www.westernvaluesproject.org/>.

Accordingly, Western Values Project qualifies for a fee waiver.

Conclusion

If possible, I would prefer to receive this information electronically via e-mail at csaeger@westernvaluesproject.org.

If you have questions or need additional information, please feel free to contact Brad Hennessy, my associate who will be handling all follow-up on this request. Brad can be reached at brad@westernvaluesproject.org or at (406) 924-9491.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. If any documents are withheld based on the Agency’s interpretation of any exemption, we request that you provide an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), *cert. denied*, 415 U.S. 977 (1974). Specifically, this *Vaughn* index should describe withheld documents with enough specificity as to determine whether the material is exempt under the act and must describe each document or portion withheld.

Thank you for your assistance.

Sincerely,

Chris Saeger
Executive Director
Western Values Project

^[1] See, e.g., *McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1285 (9th Cir. 1987).

^[2] 5 U.S.C. § 552(a)(4)(A)(iii)

WASO FOIA Requests, NPS <waso_foia_requests@nps.gov>

Wed, Jun 13, 2018 at 8:36 AM

To: Chris Saeger <csaeger@westernvaluesproject.org>

Cc: Jessica McHugh <jessica_mchugh@nps.gov>

Mr. Saeger,

Your request has been received and has been assigned tracking number NPS-2018-00843. All future correspondence relating to this request should reference this tracking number.

In accordance with [43 CFR 2.15](#) the National Park Service processes requests on a first-in, first-out basis within several processing tracks. Your request has been placed in the "normal" track. There are currently 10 requests ahead of this request in the processing queue.

We have classified you as an "other-use" requester and your request for a fee waiver has been granted.

Please note for future requests, as an "other-user", we may charge you for some of our search and duplication costs, but we would not charge you for our review costs; you are also entitled to up to 2 hours of search time and 100 pages of photocopies (or an equivalent volume) for free. See 43 C.F.R. § 2.39. If, after taking into consideration your fee category entitlements, our processing costs are less than \$50.00, we would not bill you because the cost of collection would be greater than the fee collected. See 43 C.F.R. § 2.37(g)

You should expect our response by July 6, 2018. If you do not receive our response by that date you may file an appeal by writing to:

Freedom of Information Act Appeals Officer
Office of the Solicitor
U.S. Department of the Interior
1849 C Street, NW
MS-6556-MIB,
Washington, D.C. 20240
foia.appeals@sol.doi.gov

Your failure-to-timely-respond appeal may be filed anytime after the estimated response date provided above and the date we issue our final response. The appeal should be marked, both on the envelope and the face of the appeal letter, with the legend "FREEDOM OF INFORMATION APPEAL." Your appeal should be accompanied by a copy of your original request and copies of all correspondence between yourself and the National Park Service related to this request, along with any information you have which leads you to believe our response to be in error. Note, any appeal received after 5 p.m. EST will be considered to have been received on the next business day.

Sincerely,

Jessica C. McHugh
WASO FOIA Liaison
202-354-1449
waso_foia_requests@nps.gov

[Quoted text hidden]

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Jessica McHugh
WASO FOIA Liaison
202-354-1449
waso_foia_requests@nps.gov

WASO FOIA Requests, NPS <waso_foia_requests@nps.gov>

Mon, Jul 23, 2018 at 6:21 PM

To: Chris Saeger <csaeger@westernvaluesproject.org>

Cc: Jessica McHugh <jessica_mchugh@nps.gov>

Mr. Seeger,

I apologize for the delay in getting this information to you. I wanted, however, to provide you with a status update on your request.

In accordance with 43 CFR 2.15 the National Park Service processes requests on a first-in, first-out basis within several processing tracks. As of today, there are currently 4 "normal" and 0 "simple" or "expedited" requests ahead of yours in the processing queue.

We have completed searching our records and have identified 96 pages of potentially responsive materials that is currently in the review process. I hope to be able to complete the processing for your request within the next couple of weeks.

Please note, because we were not able to process your request within the required twenty workday period you have the right to appeal. You may file an appeal by writing to:

Freedom of Information Act Appeals Officer
Office of the Solicitor
U.S. Department of the Interior
[1849 C Street, NW](#)
MS-6556-MIB,
Washington, D.C. 20240
foia.appeals@sol.doi.gov

Your failure-to-timely-respond appeal may be filed anytime between now and the date we issue our final response. The appeal should be marked, both on the envelope and the face of the appeal letter, with the legend "FREEDOM OF INFORMATION APPEAL." Your appeal should be accompanied by a copy of your original request and copies of all correspondence between yourself and the National Park Service related to this request, along with any information you have which leads you to believe our response to be in error. Note, any appeal received after 5 p.m. EST will be considered to have been received on the next business day.

Sincerely,

Jessica McHugh
WASO FOIA Liaison
202-354-1449
waso_foia_requests@nps.gov

[Quoted text hidden]

WASO FOIA Requests, NPS <waso_foia_requests@nps.gov>
To: Chris Saeger <csaeger@westernvaluesproject.org>

Mon, Jul 23, 2018 at 6:24 PM

Mr. Saeger,

Please, also, accept my apologies for the typo on your name in my previous email.

[Quoted text hidden]

Chris Saeger <csaeger@westernvaluesproject.org>
To: "WASO FOIA Requests, NPS" <waso_foia_requests@nps.gov>

Mon, Jul 23, 2018 at 7:20 PM

Ms. McHugh,

- 1) Thanks for the update on timeframe, it's much appreciated.
- 2) No sweat, that's not even the worst typo of my name I've seen today!

Chris
[Quoted text hidden]